

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:07CR3023
)	
Plaintiff,)	
)	
v.)	MEMORANDUM AND ORDER ON
)	TENTATIVE FINDINGS AND
IGNACIO MONTES-MEDINA,)	SENTENCING
)	
Defendants.)	
_____)	

No objection has been made by the government to the Presentence Investigation Report, Revised February 1, 2008. The defendant's attorney has submitted objections to paragraphs 13, 15, 16, 19, 23, 24, 25, 28, 32, and 57.

Except as to the paragraphs of the Presentence Investigation Report to which objections have been made, I tentatively find that the Presentence Investigation Report is true and accurate.

With respect to the paragraphs to which objections have been made by the defendant, the defendant's counsel has said that the defendant is expected to testify for about 30 minutes on direct examination, and the government has said that it will ask the court to take judicial notice of the evidence admitted at the trial, which has been transcribed and is on file as filings 151 to 162.

It is appropriate that I hear the testimony of the defendant and study the trial transcript before resolving the objections. Because of the massiveness of the trial transcript, I shall expect the counsels to help prepare me with pointing to the pages and lines they think support their respective positions. In view of the fact that the sentencing hearing is now scheduled for June 10, I am asking that these designations of page and line be in my hands by May 27. That deadline and the sentencing hearing date can be continued, if request is made to do so.

Dated May 20, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge